

Message Text

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E.O. 11652: GDS
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SUBJECT: PRESIDENT PEREZ REVIEWS LEGISLATIVE ACCOM-
PLISHMENTS AT CONGRESS CLOSING

1. SUMMARY. PRESIDENT PEREZ REVIEWED LEGISLATIVE ACCOMPLISHMENTS OF THE CONGRESS IN CEREMONIES CLOSING THE 1978 LEGISLATIVE SESSION. HE ALSO PRAISED CONGRESS' ROLE IN REINFORCING THE DEMOCRATIC SYSTEM IN VENEZUELA AND CREATING "TRANQUILITY IN THE COUNTRY." DESPITE HIS PRAISE OF CONGRESS, PEREZ IN REALITY DESCRIBED THE LEGISLATIVE ACCOMPLISHMENTS OF THE EXECUTIVE BRANCH. THE CONGRESS DURING THE 20 YEARS OF VENEZUELAN DEMOCRACY HAS NOT YET DEVELOPED AN INDEPENDENT LEGISLATIVE ROLE DUE IN PART TO INSTITUTIONAL WEAKNESSES IN THE POLITICAL SYSTEM. THE POOR QUALITY AND PERFORMANCE OF CONGRESSIONAL REPRESENTATIVES HAS ONLY FURTHER ACCENTUATED THE DECLINING ROLE AND STATURE OF THE CONGRESS. END SUMMARY.

2. PRESIDENT PEREZ (CAP), SPEAKING AT THE CLOSING OF THE 1978 LEGISLATIVE SESSION ON AUGUST 28, REVIEWED THE ACCOMPLISHMENTS OF THE CONGRESS DURING HIS ADMINISTRATION AND WENT THROUGH AN ABBREVIATED REVIEW OF THE LAWS PASSED IN THE LAST 4 1/2 YEARS. HE NOTED THAT THIS CONGRESS HAS PASSED MORE LEGISLATION (179 LAWS) THAN ANY
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OF ITS PREDECESSORS. HEADING THIS LIST WERE PETROLEUM AND STEEL NATIONALIZATION LAWS, AND LEGISLATION CREATING THE DEVELOPMENT FUNDS AND ADMINISTRATIVE MACHINERY TO CARRY OUT THE VENEZUELAN DEVELOPMENT PROGRAM. OTHER LEGISLATION, HE NOTED INCLUDED A BROAD VARIETY OF LAWS SUCH AS BANKING AND INSURANCE LEGISLATION, A NEW MUNICIPAL REFORM LAW, TAX REFORM AND LABOR LEGISLATION, NEW SOCIAL

SECURITY AND MINIMUM WAGE LAWS, LEGISLATION REFORMING THE PUBLIC ADMINISTRATION MACHINERY, AS WELL AS LAWS PASSED TO PROTECT THE NATIONAL PATRIMONY.

3. CAP TOUCHED UPON THE SPECIAL DECREE POWERS GRANTED TO HIM BY CONGRESS IN 1974 TO DEAL WITH ECONOMIC AND FINANCIAL MATTERS. HE NOTED WITH PRIDE THAT ALL THE 36 EXECUTIVE DECREES ISSUED BETWEEN JUNE 1974 AND MAY 31, 1975 UNDER THIS SPECIAL ENABLING POWER WERE SUBSEQUENTLY RATIFIED INTO LAW BY THE CONGRESS. CAP ALSO PLACED HEAVY EMPHASIS ON THE CONSOLIDATION OF DEMOCRACY IN VENEZUELA, GIVING LAURELS TO THE CONGRESS FOR ITS ROLE IN REINFORCING THE DEMOCRATIC SYSTEM AND "CREATING TRANQUILITY IN THE COUNTRY."

4. COMMENT: DESPITE HIS KUDOS TO CONGRESS, PEREZ WAS ESSENTIALLY DESCRIBING THE LEGISLATIVE ACCOMPLISHMENTS AND FAILURES OF THE EXECUTIVE BRANCH DURING HIS ADMINISTRATION. UNDER CAP, THE VENEZUELAN CONGRESS HAS BEEN OVERSHADOWED BY THE ENERGETIC AND FORCEFUL PRESIDENCY WHICH ON MOST ISSUES HAS USED THE CONGRESS AS A RUBBER STAMP. CAP ASSUMED THE PRESIDENCY WITH AN AD MAJORITY IN BOTH HOUSES OF CONGRESS AND THEREFORE, UNLIKE PREVIOUS ADMINISTRATIONS, ENCOUNTERED LITTLE OPPOSITION TO HIS PROGRAMS. IN CONTRAST, PRESIDENTS CALDERA AND LEONI WERE OBLIGED TO DEAL WITH THE CONGRESS MORE AS EQUALS, BETANCOURT AS LESS THAN AN EQUAL. CONFIDENTIAL

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IN THE FACE OF THE OVERWHELMING TIDE OF NEW LEGISLATION NEEDED TO REFORM THE PUBLIC ADMINISTRATION MACHINERY AND IMPLEMENT THE COUNTRY'S AMBITIOUS DEVELOPMENT PROGRAM UNDER THE CAP ADMINISTRATION, THE CONGRESS FOUND ITSELF ILL-EQUIPPED, WITH VIRTUALLY NO ADMINISTRATIVE AND RESEARCH STAFF AVAILABLE TO EITHER STUDY THE EXECUTIVE'S BILLS OR ADEQUATELY FORMULATE ALTERNATIVES OF ITS OWN.

5. DURING THE TWENTY YEARS OF VENEZUELAN DEMOCRACY, CONGRESS HAS NEVER REALLY DEVELOPED A FULL, INDEPENDENT LEGISLATIVE ROLE, ALONG THE LINE OF ITS AMERICAN COUNTERPART ON WHICH IT IS MODELED. CONGRESS IS BURDENED WITH A FUNDAMENTAL CONSTITUTIONAL WEAKNESS DERIVED FROM ITS HYBRID STATUS. THEORETICALLY IT OPERATES AS A BRANCH OF GOVERNMENT CO-EQUAL WITH THE EXECUTIVE, AS IN THE U.S. SYSTEM. IN FACT THE VENEZUELAN POLITICAL SYSTEM WITH STRONG EMPHASIS ON PARTY DISCIPLINE IS MORE SIMILAR TO THE BRITISH PARLIAMENTARY MODEL. WHEN THE CHIEF EXECUTIVE COMMANDS A CONGRESSIONAL MAJORITY, AS IS THE CASE IN THE PRESENT ADMINISTRATION, THE PRESIDENT IS ABLE TO IMPOSE HIS WILL ON CONGRESS THROUGH HIS POWER OVER THE PARTY APPARATUS. THUS TODAY, MOST OF THE REALLY IMPORTANT

LEGISLATION IS PRE-EMPTED AND HAMMERED OUT AT THE PARTY LEVEL BEFORE IT REACHES THE FLOOR OF THE CONGRESS.

6. IN THE FACE OF ITS DECLINING ROLE, THE CONGRESS OF LATE HAS TAKEN TO TILTING AT WINDMILLS AND INITIATING SPLASHY INVESTIGATIONS INTO CORRUPTION AND SCANDALS, IN AN EFFORT TO RECOUP SOME PRESTIGE OR SEMBLANCE OF USEFULNESS. YET, THE INABILITY OF THE CONGRESS TO CARRY THROUGH EVEN THESE INVESTIGATIONS HAS ONLY FURTHER DAMAGED ITS REPUTATION AMONG THE VENEZUELAN ELECTORATE. IN A RECENT POLL, ONLY 11 PERCENT OF THE VENEZUELAN VOTERS VIEWED THE CONGRESS AS USEFUL. THE PERFORMANCE OF THE CONGRESS IN RECENT YEARS HAS ALSO BEEN HINDERED BY THE QUALITY OF ITS REPRESENTATIVES. SOME HAVE BEEN PARTY HACKS, REWARDED BY THEIR PARTIES FOR

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LOYAL SERVICE, RATHER THAN LEGISLATIVE COMPETENCE. MANY OTHERS HAVE HELD TRADE UNION, PARTY OR OTHER POSITIONS WHOSE BUSINESS TOOK PRECEDENCE OVER THEIR LEGISLATIVE DUTIES. THE INFLUENCE OF SPECIAL INTEREST GROUPS REPRESENTED IN THE CONGRESS ONLY FURTHER COMPOUNDS CONGRESSIONAL INEFFECTIVENESS. THIS YEAR ATTEMPTS TO PUSH THROUGH TOUGH ANTI-CORRUPTION LEGISLATION WERE FRUSTRATED, WHILE THE CONGRESS BARELY MANAGED TO PASS AN EMASCULATED INCOME TAX BILL.

7. THE SPECIAL DECREE POWERS GRANTED TO PEREZ IN 1974 ONLY ACCENTUATED THE DECLINING LEGISLATIVE ROLE PLAYED BY CONGRESS AND PAVED THE WAY FOR PEREZ' ONE-MAN SHOW DURING HIS ADMINISTRATION. ALTHOUGH THE ISSUE OF GROWING PRESIDENTIAL POWER HAS COME IN FOR CRITICISM AND EXPRESSIONS OF CONCERN FROM LEADERS OF BOTH PARTIES WHO RECOGNIZE THE DECLINING ROLE AND STATURE OF THE CONGRESS, LITTLE HAS BEEN DONE, APART FROM SOME ATTEMPTS TO UPGRADE PARTY TICKETS, TO DEAL WITH THE BASIC PROBLEMS CONTRIBUTING TO THE GROWING DISPARITY IN PRESIDENTIAL AND CONGRESSIONAL POWER. NONE OF THE FOREGOING IS MEANT TO SUGGEST A CRISIS OR A SERIOUS THREAT TO VENEZUELAN DEMOCRACY - IT ISN'T. FROM THE BEGINNING THE TWO MAJOR PILLARS OF VENEZUELAN DEMOCRACY HAVE BEEN EASY PETROLEUM MONEY AND THE STRENGTH AND VITALITY OF VENEZUELA'S POLITICAL PARTIES. END COMMENT.

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